THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.24798 OF 2007

Date: 20.12.2007.

Between:
Singireddy Sujatha,
W/o.Singireddy Anji Reddy.

...Petitioner.

and

The Commissioner, Panchayat Raj and
Rural Development, Government of A.P.
and others.

...Respondents

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ORDER:

It is the case of the petitioner that she along with seven members contested for the post of the Member of the 5th Ward of Boduppal village, Ghatkesar Mandal and the elections were held on 14.11.2007. It is stated that initially, the petitioner got 213 votes and respondent No.6 secured 211 votes, but, on the application filed by respondent No.6 for recounting, both the petitioner as well as respondent No.6 have got 211 votes. As both of them got equal votes, as per rules, by drawal of chit, respondent No.6 was declared elected in respect of the post of Member of the 5th Ward of Boduppal village, Ghatkesar Mandal.

The petitioner seeks to issue a Writ of Mandamus declaring the action of respondent Nos.1 to 5 in declaring election of respondent No.6 as illegal and arbitrary.

Admittedly, the petitioner filed an Election Petition in O.P.No.13 of 2007, on the file of the Principal Junior Civil Judge, Ranga Reddy and the same is said to have been posted for appearance of the respondent No.6 on 06.03.2008. It is the case of the petitioner that pursuant to the elections held for the Ward Members, a notice has been issued for election of Upa-Sarpanch of the Grampanchayat on 20.12.2007 and the petitioner seeks to issue a direction not to conduct the elections to the post of Upa-Sarpanch.

I am of the opinion that unless the petitioner succeeds in the Election Petition, the petitioner cannot stall further proceedings of election of Upa-Sarpanch as she is not the Ward Member as on date. Any elections to the Upa-Sarpanch are obviously subject to the result of the election O.P.

Accordingly, the writ petition is dismissed, so as to enable the petitioner to pursue her election O.P.No.13 of 2007, which is pending on the file of the Principal Junior Civil Judge, Ranga Reddy. It is needless to observe that the Election Petitions shall be taken on priority basis and shall be disposed of as expeditiously as possible.

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V.ESWARAIAH, J.

Date: 20.12.2007.
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